

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Gunnar Plesch et al.

Application No.: 10/566644

Confirmation No.: 5344

Filed: January 31, 2006

Art Unit: 1638

For: PROCESS FOR THE PRODUCTION OF
FINE CHEMICALS

Examiner: COLLINS, CYNTHIA E.

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed December 27, 2007, Applicants hereby provisionally elect Group 194, claims 2(a)-(e) and (i), and claims 3-5, corresponding to SEQ ID NO: 1 or nucleic acid encoding SEQ ID NO: 2, for further prosecution with traverse. Reconsideration and withdrawal of the restriction requirement is strongly urged for the following reasons.

The Examiner has restricted the claims into 8371 Groups where each group corresponds to an individual nucleic acid sequence and the amino acid sequence encoded by it selected from among 193 sequences, or a nucleic acid encoding a polypeptide with the consensus sequence selected from among 10 consensus sequences. Using the provisionally elected group as an example, the election of Group 194 corresponds to the election of SEQ ID NOs: 1 and 2. Likewise, the election of any of Group 1, Group 388, Group 591, Group 785, Group 989, Group 1160, Group 1354, Group 1558, Group 1729, Group 1900, Group 2093, Group 2287, Group 2491, Group 2662, Group 2856, Group 3060, Group 3231, Group 3425, Group 3629, Group 3800, Group 3994, Group 4198, Group 4369, Group 4563, Group 4767, Group 4938, Group 5132, Group 5336, Group 5507, Group 5700, Group 5893, Group 6086, Group 6279, Group